

**To:** Ken Ransford[ken@kenransford.com]; Joe Harrington[jgh@minewater.com]; Guy, Kerry[Guy.Kerry@epa.gov]  
**Cc:** 'Jeff Crane'[skimosquito@gmail.com]; 'Ken Ransford'[ken@kbrpc.comcastbiz.net]; Agee, Erin[Agee.Erin@epa.gov]  
**From:** Lensink, Andy  
**Sent:** Wed 6/14/2017 4:37:23 PM  
**Subject:** RE: Please exempt North London Mill Preservation, Inc. from environmental liability

Ken:

Thank you. I and others will see you at 3:30 here.

Andy Lensink

**From:** Ken Ransford [mailto:ken@kenransford.com]  
**Sent:** Tuesday, June 13, 2017 1:16 PM  
**To:** Joe Harrington <jgh@minewater.com>; Lensink, Andy <Lensink.Andy@epa.gov>; Guy, Kerry <Guy.Kerry@epa.gov>  
**Cc:** 'Jeff Crane' <skimosquito@gmail.com>; 'Ken Ransford' <ken@kbrpc.comcastbiz.net>; Agee, Erin <Agee.Erin@epa.gov>  
**Subject:** RE: Please exempt North London Mill Preservation, Inc. from environmental liability

Hi Andy, this email confirms we are meeting Thursday June 15 at 3:30 at your office at 1595 Wynkoop Street to discuss my email below. Attached is the Determination Letter the IRS send approving IRC Section 501(c)(3) status for London Mill Preservation, Inc.

Ken Ransford, Esq., CPA

Ken Ransford P.C.

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My new email address is

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**From:** Ken Ransford

**Sent:** Sunday, March 19, 2017 11:43 AM

**To:** 'Joe Harrington'; [lensink.andy@epa.gov](mailto:lensink.andy@epa.gov); [guy.kerry@epa.gov](mailto:guy.kerry@epa.gov)

**Cc:** 'Jeff Crane'; 'Ken Ransford'; [agee.erin@epa.gov](mailto:agee.erin@epa.gov)

**Subject:** Please exempt North London Mill Preservation, Inc. from environmental liability

Hi Andy and Kerry,

I have incorporated North London Mill Preservation, Inc., and applied for tax exempt 501(c)(3) status so it can operate a backcountry ski hut for the public in the vicinity of the North London Mill along Mosquito Creek.

Attached is a copy of the Articles of Incorporation I have filed for North London Mill Preservation, Inc., ("London Mill Charity") as well as a March 6, 2017, letter from the IRS acknowledging that they are processing the application for tax exempt status as a public charity under IRC Section 501(c)(3). We have requested expedited treatment and I expect to receive approval from the IRS by April 30, 2017. However, the approval date is out of our control.

1. As Joe Harrington indicates below, London Mill Charity is requesting that the EPA grant assurance that the charity will not be held to be a party responsible for environmental contamination as a result of improving mine structures and leasing them out for use as a backcountry ski hut operation. We believe this assurance is crucial to obtaining funding in the future to improve the property and to operate it for backcountry enthusiasts.
2. Based on my experience with nonprofit organizations (I have incorporated well over 100 of them since 1993), directors will be skittish about joining the board of London Mill Charity if they believe there is any chance they could incur personal liability. I realize that protections offered to bona fide prospective purchasers may provide de facto protection to

the directors; however, a comfort letter from the EPA would likely be far more effective at reassuring prospective directors that they cannot be liable and donors that their donations will not be diverted to environmental cleanup.

3. The Statement of Activities provides more information about the goals of London Mill Charity. This was submitted to the IRS with the application for tax exempt status under IRC Section 501(c)(3).
4. The Colorado State Historic Fund provides funding to rehabilitate historic structures. They are enthusiastic about this project, but require that a 501(c)(3) charity apply for preservation grants. I believe that assurance that the charity's board of directors will not be held responsible for environmental remediation costs is essential for the charity to reach its full potential.
5. If the existing buildings are contaminated, Joe Harrington has assured us that his company will be responsible for removing any contaminated waste from the buildings and the immediately adjacent surrounding land.
6. The Park County Recreation Department is very enthusiastic about this proposal, as it could clean up a mine that has been problematic for decades. If the backcountry ski hut operation succeeds, it will put Mosquito Creek on the map as an outdoor recreation destination. This will generate positive publicity, likely making the site a better candidate for any remediation funding that might be available. I believe the benefit from granting the assurance requested here far outweighs any potential risk to the EPA.
7. I have copied Erin Agee on this email since I independently approached her with the request outlined here. I then discovered that you have been working with Joe Harrington for much of the past year in order to develop a plan to reclaim the London Mill site.

Thank you for your interest in this project. Please contact me with any questions.

Ken Ransford, Esq., CPA

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**From:** Joe Harrington [<mailto:jgh@minewater.com>]  
**Sent:** Thursday, March 16, 2017 8:34 AM  
**To:** [lensink.andy@epa.gov](mailto:lensink.andy@epa.gov); [guy.kerry@epa.gov](mailto:guy.kerry@epa.gov)  
**Cc:** 'Jeff Crane'; 'Ken Ransford'  
**Subject:** North London Mill Preservation, Inc.

Dear Andy and Kerry,

Sirs,

Copied on this email are the President of the North London Mill Preservation, Inc., Jeff Crane, and the attorney for that company, Ken Ransford. By way of background Jeff's early plans for the North London Mill were the subject of this Denver Post article just after the Thanksgiving holiday <http://www.denverpost.com/2016/11/24/park-county-economic-opportunity-plan/> in November 2016.

In short, they have formed a company that is structured as a 501c(3) not for profit corporation for the purpose of leasing, preserving and repurposing the historic structures at the North London Mill located on property that MineWater Finance LLC has just acquired and which is the subject of our discussions in the past few months. To enable them to attract board members, volunteers and donations for the preservation of these historic structures (constructed between 1870 and 1920), they desire to have a comfort letter from EPA providing them with a restatement of the Bona Fide Prospective Purchaser protections available to them as set forth under the CERCLA amendments of 2002 and subsequent regulations. They have spent the last 8 months conducting all appropriate inquiry pursuant to those regulations, meeting with the State and local governments and especially the community members to develop acceptable land uses consistent

with the preservation of the history at that site. They will also be updating the Environmental Site Assessment (Phase I) which I commissioned and conducted last summer and fall pursuant to my purchase of the underlying property.

In short, they are planning to do only a building lease, not a ground lease, but need assurances regarding their CERCLA liability for any hazardous substances encountered during their rehabilitation work so that they can do some good work in preserving the historic elements of the buildings while repurposing these buildings to support sustainable uses for the surrounding area. They will not be operating the mill or doing any other work at all close to mining, so it should be fairly straightforward (I hope) to help them with some sort of statement in this regard.

Thanks for all your help!

Joseph G. Harrington, President

**MineWater LLC**

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Contractor to MineWater Finance LLC

--Owner of the London Mine in Park County CO